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Chapter 11 Trustee

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DANNING, GILL, ISRAEL & KRASNOFF, LLP  
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Los Angeles, California 90067-6006  
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Proposed Attorneys for Michael A. McConnell,  
Chapter 11 Trustee

**UNITED STATES BANKRUPTCY COURT**  
**CENTRAL DISTRICT OF CALIFORNIA**  
**NORTHERN DIVISION**

In re  
HVI CAT CANYON, INC.,  
Debtor.

Case No.: 9:19-bk-11573-MB

Chapter 11

**CHAPTER 11 TRUSTEE'S NOTICE OF  
APPLICATION AND APPLICATION TO  
EMPLOY DANNING, GILL, ISRAEL &  
KRASNOFF, LLP AS GENERAL  
BANKRUPTCY COUNSEL; AND  
STATEMENT OF DISINTERESTEDNESS**

[No Hearing Required]

**TO THE HONORABLE MARTIN BARASH, UNITED STATES BANKRUPTCY JUDGE,  
AND INTERESTED PARTIES:**

PLEASE TAKE NOTICE THAT Michael A. McConnell, the Chapter 11 trustee (the  
"Trustee" or "applicant") of the estate of HVI Cat Canyon, Inc. (the "debtor"), will and hereby does  
move the Court for an order authorizing him to employ Danning, Gill, Israel & Krasnoff, LLP  
("Danning-Gill" or the "Firm") as his general bankruptcy counsel, at the expense of the estate,  
effective as of October 21, 2019 (the "application").

1 The Trustee believes that good cause exists to employ the Firm as his general insolvency  
2 counsel in this case. The Trustee needs the services of the Firm to advise the Trustee regarding  
3 matters of bankruptcy law generally and Chapter 11 in particular, the Trustee's rights and remedies  
4 in this case, and other matters pertaining to this case. The Firm has substantial experience and  
5 expertise regarding matters of bankruptcy law and is well-qualified to represent the Trustee. The  
6 terms of the Trustee's proposed retention of the Firm in this case are reasonable.

7 Applicant respectfully requests that the Court enter an order authorizing the Trustee, based  
8 upon the foregoing and pursuant to Section 327(a) of the Bankruptcy Code and Rule 2014(a) of the  
9 Federal Rules of Bankruptcy Procedure, to employ the Firm as its general bankruptcy counsel,  
10 effective as of October 21, 2019, with compensation of the Firm to be in accordance with the terms  
11 set forth herein.

12 The Trustee submits this application pursuant to Federal Rules of Bankruptcy Procedure  
13 ("FRBP") 2014 and Local Bankruptcy Rules ("LBR") 2014-1(b) and 9013-1.

14 The application is based upon this notice of application, the attached Memorandum of  
15 Points and Authorities, the attached Statement of Disinterestedness, the complete files and records  
16 of this case, and such other evidentiary matters as may be presented to the Court.

17 **PLEASE TAKE FURTHER NOTICE** that, pursuant to Local Bankruptcy Rule 9013  
18 1(o)(1)(A)(ii), any objection and request for hearing must be in writing and must be filed and  
19 served within fourteen (14) days after of the date of mailing of this Notice, plus an additional 3  
20 days if this notice of motion was served by mail or pursuant to Fed. R. Civ. P. 5(b)(2)(D) or (F).  
21 The response or opposition to the application shall be filed with the Bankruptcy Court and served  
22 on the United States Trustee, at 1415 State Street, Suite 148, Santa Barbara, CA 93101, and  
23 counsel for the Trustee, Eric P. Israel, at 1901 Avenue of the Stars, Suite 450, Los Angeles, CA  
24 90067.

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1 If you fail to file a written response within fourteen days of the date of the service of this  
2 notice, plus an additional 3 days if this notice of motion was served by mail or pursuant to Fed. R.  
3 Civ. P. 5(b)(2)(D) or (F), the Court may treat such failure as a waiver of your right to oppose the  
4 application and may grant the requested relief.

5  
6  
7 DATED: November 14, 2019

DANNING, GILL, ISRAEL & KRASNOFF, LLP

8  
9 By:



10 ERIC P. ISRAEL

11 Proposed Attorneys for Michael A. McConnell,  
12 Chapter 11 Trustee

13 Date of Mailing: November 14, 2019  
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**APPLICATION**

Michael A. McConnell, the Chapter 11 trustee (the “Trustee” or “applicant”) for the estate of HVI Cat Canyon, Inc. (the “debtor”), hereby applies for entry of an order under 11 U.S.C. § 327(a) authorizing the employment and retention of Danning, Gill, Israel & Krasnoff, LLP (“Danning-Gill” or the “Firm”) as his general bankruptcy counsel, effective as of October 21, 2019, as follows:

**A. The Bankruptcy Filing**

On July 25, 2019 (the “Petition Date”), the debtor commenced this case by filing a voluntary petition for relief under Chapter 11 of title 11 of the United States Code (the “Code”). The case was originally filed in the Southern District of New York. The case was transferred to the Northern District of Texas, and then later to the Central District of California.

The debtor initially operated its business as a “debtor in possession,” allowing it to exercise substantially all rights of a trustee in the bankruptcy case. On or about October 16, 2019, the Court entered its *Agreed Order Granting Motion for Appointment of a Chapter 11 Trustee*. On or about October 21, 2019, the U.S. Trustee appointed Michael A. McConnell as the Chapter 11 Trustee for the debtor’s estate. On or about October 22, 2019, the Court entered an order approving the appointment of Michael A. McConnell as the Chapter 11 trustee in this case.

The debtor is a Colorado corporation authorized to conduct business in the State of California. It is the owner and operator of producing oil and gas interests in California. According to the debtor, it “owns an approximately 100% working interest and an average 85% net revenue interest in over 1,000 oil wells in the Santa Maria Valley of Santa Barbara County, North Belridge in Kern County, and Richfield East Dome Unit in Orange County.”<sup>1</sup> The debtor employs approximately 50 individuals. The debtor has a long history of violations and issues with regulatory agencies.

Applicant’s preliminary investigation has revealed that the estate assets may include, among

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<sup>1</sup> Docket no. 16, pp. 1-2, ¶ 2.

1 other property, cash, deposits, accounts receivable, raw materials, office and computer equipment  
2 including oil production equipment, oil and gas leases (the "Property").

3 The debtor on its schedules listed secured claims in favor of several entities, including a  
4 senior lien against all of its assets in favor of UBS, LLC ("UBS"). UBS advises that its lien  
5 aggregates approximately \$120 million. In contrast, the Trustee is advised that the Court recently  
6 found that the debtor's assets were worth between \$50 million and \$75 million at a cash collateral  
7 hearing. The debtor is a party to numerous key contracts with affiliates, including providing it  
8 office and administrative services, trucking services, diluent purchases and sale of its product.  
9 UBS and others sought the appointment of a Chapter 11 trustee in this case.

10 As set forth below, by this application, the Trustee seeks to employ Danning-Gill as his  
11 general counsel, to assist the Trustee with respect to legal issues regarding various matters that  
12 have or will arise in the administration of the debtor's estate including, without limitation, the  
13 matters detailed below.

14  
15 **B. The Proposed Retention of General Bankruptcy Counsel; Danning, Gill, Israel &**  
16 **Krasnoff, LLP**

17 Applicant determined upon his investigation that it is necessary and appropriate to retain  
18 general counsel to assist and advise Applicant with respect to legal issues and various matters  
19 including, without limitation, the following:

- 20 a. advise the Trustee about issues arising under Chapter 11, including  
21 compliance, plan proposals and other reorganization issues;
- 22 b. advise the Trustee on operating issues, including relationships with affiliates  
23 and allegations that affiliates made improper transfers and setoffs;
- 24 c. aid the Trustee in investigating the debtor's financial affairs and transactions;
- 25 d. assist the Trustee in the preparation of, reports, accounts, and pleadings  
26 related to the debtor's case;
- 27 e. advise the Trustee concerning the requirements of the Bankruptcy Court, the  
28 Federal Rules of Bankruptcy Procedure and the Local Bankruptcy Rules;

1 f. file any motions, applications or other pleadings appropriate to effectuate the  
2 debtor's reorganization, and to negotiate with parties in interest concerning the future of the debtor  
3 and its reorganization;

4 g. represent the Trustee in contested matters and adversary proceedings and at  
5 hearings before this Court;

6 h. assist the Trustee in identifying, analyzing, and obtaining possession of  
7 property of the estate, including, if appropriate, seeking the turnover of property of the estate and  
8 conducting examinations pursuant to Bankruptcy Rule 2004;

9 i. assist the Trustee with the use, sale, or lease of property of the estate;

10 j. assist the Trustee with the abandonment or other disposition of property of  
11 the estate;

12 k. investigate and pursue avoidable transfers, if appropriate;

13 l. assist with the collection of accounts receivables, if any, and other claims of  
14 the estate;

15 m. analyze and review the validity of claims of alleged creditors and, if  
16 appropriate, object to those claims;

17 n. analyze the validity of all administrative expenses and, if appropriate, object  
18 to those expenses;

19 o. assist the Trustee with the settlement and compromise of claims by or  
20 against the estate, or pertaining to matters relating to this case;

21 p. advise the Trustee so that he may properly comply with the Bankruptcy  
22 Code, the Bankruptcy Rules, the Local Bankruptcy Rules, and the Guidelines of the United States  
23 Trustee; and

24 q. respond to or oppose motions for relief from stay, where appropriate;

25 r. prosecute claims objections if appropriate to the extent that funds are  
26 generated for the estate; and

27 s. perform services related to such other legal matters as may arise in the  
28 administration of this estate.

At this time, the Trustee holds no free and clear funds in the estate, as all funds are cash collateral of UBS. A short-term carve-out for professional fees has been negotiated with UBS covering the first 5 weeks of the Trustee's involvement. It is not clear that fee and clear funds can be generated in this case after that or that future carve-outs will be forthcoming, and there is no assurance that administrative fees and costs incurred could be paid, including the fees of any professional employed by the estate. Notwithstanding this risk of nonpayment, the Trustee was able to procure the services of Danning-Gill as his general counsel. Danning-Gill has agreed to represent the Trustee, effective as of October 21, 2019. No retainer is proposed for this engagement.

**C. The Firm's Qualifications and Services to be Rendered**

Danning-Gill specializes in bankruptcy practice and is well able to perform the required legal services. Danning-Gill is experienced in debtor/creditor matters including, among other things, the representation of bankruptcy trustees and various interested parties who appear in bankruptcy cases. Danning-Gill is competent to perform the requisite legal services in this bankruptcy case. Danning-Gill's breadth of experience and length of service in the legal community is described in its firm resume, a copy of which is attached as Exhibit "1" to the Statement of Disinterestedness (the "Statement"), filed with this Application and incorporated herein.

The lawyers affiliated with Danning-Gill have practiced in bankruptcy courts for many years. Danning-Gill has handled virtually every type of matter which may arise in the context of a bankruptcy case. Danning-Gill has been retained as attorneys for trustees in thousands of different bankruptcy cases. Danning-Gill and all of the lawyers affiliated with it who will work on this bankruptcy case are familiar with the Bankruptcy Code, Federal Rules of Bankruptcy Procedure and the Local Bankruptcy Rules. Danning-Gill will comply with the Bankruptcy Code and all applicable rules in this bankruptcy case.

As of the date of the application, to the best of applicant's knowledge and after consideration of the disclosures in the attached Statement, applicant believes that the Firm and all



1 of its partners and associates are disinterested persons as that term is defined in 11 U.S.C.  
2 §101(14), and neither the Firm nor any partners or associates of the Firm are connected with  
3 applicant, the debtor, debtor's creditors, any other party in interest, their respective attorneys and  
4 accountants, or to this estate, and has no relation to any bankruptcy judge presiding in this district,  
5 the Clerk of the Court or any relation to the United States Trustee in this district, or any person  
6 employed at the Court or the Office of the United States Trustee, nor does the Firm or its attorneys  
7 represent or hold an adverse interest with respect to the debtor, any creditor, or to this estate except  
8 as follows:

9 (a) Pacific Gas & Electric Company ("PG&E") is scheduled with a general,  
10 unsecured claim against the estate for \$624,332.15. Until approximately June 17, 2018, the  
11 Firm represented PG&E in other bankruptcy cases not involving the debtor. Walter K.  
12 Oetzell was the primary attorney responsible for all matters involving PG&E. After he  
13 departed the Firm, any open cases involving PG&E went with him. On or about January  
14 29, 2019, PG&E commenced its own bankruptcy case under Chapter 11 of the Code. The  
15 Firm has no involvement in the PG&E case and has not filed a claim in the PG&E case;

16 (b) Brad Krasnoff, one of the partners (through his professional corporation) at the  
17 Firm, was interviewed by the U.S. Trustee as a candidate to serve as Chapter 11 trustee in  
18 this case;

19 (c) two attorneys at Danning-Gill (Brad D. Krasnoff and Richard K. Diamond) are  
20 members of the panel of trustees for the Central District of California, and the Firm  
21 represents them in that capacity in other cases unrelated to the debtor.

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1 **D. Terms of Proposed Employment**

2 The Firm will render services to the Trustee at the Firm's regular hourly rates, which may  
3 be subject to adjustment from time to time. The current hourly rates are set forth in the Statement  
4 of Disinterestedness. The Trustee and Firm have agreed, subject to the Court's approval, to the  
5 terms of the Firm's employment in the case.

6  
7 **E. Proposed Terms of Payment**

8 Contemporaneously with the filing of this application, the Trustee intends to file a motion  
9 to authorize the following procedures, which mirror the provisions of the Guide to Application for  
10 Employment of Professionals and Treatment of Retainer promulgated by the Office of the United  
11 States Trustee (the "Fee Guide"), for the Trustee and all of his professionals (including the Firm  
12 and counsel for the Committee) to receive payments of the firm's accruing fees and costs on a  
13 monthly basis.

14 1. The Firm will file a copy of the Firm's monthly billing statements itemizing  
15 the fees and costs incurred by the Firm on behalf of the Trustee during the preceding month  
16 ("Professional Fee Statement"), and will serve copies of the Professional Fee Statement  
17 upon the Debtor, the U.S. Trustee, those parties who request special notice in the Debtor's  
18 case, and upon any counsel for an official committee of unsecured creditors ("Committee")  
if a Committee is appointed by the U.S. Trustee in this case and the Committee employs  
counsel, or, if not appointed, upon the creditors holding the 20 largest general unsecured  
claims in this case.

19 2. If no objection to the Professional Fee Statement is filed and served within  
20 ten (10) days after the service of the Professional Fee Statement, the Trustee shall pay to the  
21 Firm, from available free and clear or designated funds, 80% of such fees and costs, without  
22 further notice, hearing or order of the Court. If a written objection to the Professional Fee  
23 Statement is filed by a party-in-interest, the Trustee will not pay to the Firm the amount of  
the disputed funds, until the objection has been resolved by the Court. Notwithstanding any  
objection to a Professional Fee Statement, the Firm may be paid any undisputed amount of  
fees and costs represented by a Professional Fee Statement.

24 3. No fees or costs paid to the Firm pursuant to the proposed monthly payment  
25 procedures will be deemed to be allowed by the Court. No failure by any creditor or party-  
26 in-interest to object to any Professional Fee Statement will be deemed to be a waiver of any  
27 objection to the Firm's fees and costs represented by such Professional Fee Statement. Any  
28 such objection will be reserved and may be asserted by any creditor or other party-in-  
interest in connection with the filing of any fee application by the Firm. No fees or costs of  
the Firm will be deemed to be allowed in this case, except only pursuant to an order of the  
Court with respect to a fee application filed by the Firm after notice and hearing.

1 The Firm intends to apply to this Court for compensation in conformity with the  
2 requirements of Bankruptcy Code Sections 330 and 331. The Firm understands that its  
3 compensation in the Debtor's case will be subject to the approval of the Court. Any interim  
4 payments paid to the Firm pursuant to the proposed monthly payment procedure will still be  
5 subject to allowance by the Court, upon appropriate application and noticed hearing.

6 Periodically throughout the case, the Firm will file appropriate interim fee applications and  
7 eventually a final fee application, seeking final allowance of all fees and costs. Upon allowance of  
8 such fees and costs, the Trustee will pay to the Firm the difference between the amounts allowed to  
9 the Firm and any interim compensation paid to the firm. The Firm understands and agrees that, if  
10 aggregate interim payments made to the Firm exceed the amount that is ultimately allowed to the  
11 Firm, the Firm will be required to, and will, promptly repay to the Trustee such difference.

12  
13 **F. General Provisions/Disclosures**

14 There will be no written employment agreement between applicant and Danning-Gill, apart  
15 from this application and the order entered upon this application. The only source of payment of  
16 compensation for Danning-Gill will be from this estate, as may be approved and ordered paid by  
17 the Court after notice and hearing. No retainer has been paid or will be paid to Danning-Gill.

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19 **G. Prayer**

20 WHEREFORE, applicant prays the Court to enter its order authorizing him to employ  
21 Danning-Gill as his general counsel, effective as of October 21, 2019, as an administrative expense  
22 in this bankruptcy case, and for such other and further relief as may be determined just and proper.

23  
24 DATED: November 11<sup>th</sup>, 2019

25   
26 MICHAEL A. MCCONNELL  
27 Chapter 11 Trustee  
28

**STATEMENT OF DISINTERESTEDNESS FOR EMPLOYMENT**  
**OF PROFESSIONAL PERSON UNDER F.R.B.P. 2014**

1. Name, address and telephone number of the professional ("the Professional" or "the Firm") submitting this Statement:

Danning, Gill, Israel & Krasnoff, LLP  
1901 Avenue of the Stars, Suite 450  
Los Angeles, CA 90067-6006  
T: 310-277-0077  
F: 310-277-5735

Attached hereto as Exhibit "1" and incorporated by reference herein, is a copy of the resume for the Firm.

2. The services to be rendered by the Professional in this case are (specify): See pages 5 and 6 within the Application.

3. The terms and source of the proposed compensation and reimbursement of the Professional are (specify): See pages 9 and 10 of the within Application. See Exhibits "2" and "3" for 2019 rates.

4. The nature and terms of retainer (i.e., nonrefundable versus an advance against fees) held by the Professional are (specify): None

5. The investigation of disinterestedness made by the Professional prior to submitting this Statement consisted of (specify): Conflicts check of 20 largest creditors and parties who have appeared in the case

6. The following is a complete description of all of the Professional's connections with the debtor, principals of the debtor, insiders, the debtor's creditors, any other party or parties in interest, and their respective attorneys and accountants, the United States Trustee or any person employed in the Office of the United States Trustee (specify, attaching extra pages as necessary):

(a) Pacific Gas & Electric Company ("PG&E") is scheduled with a general, unsecured claim against the estate for \$624,332.15. Until approximately June 17, 2018, the Firm represented PG&E in other bankruptcy cases not involving the debtor. Walter K. Oetzell was the primary attorney responsible for all matters involving PG&E and when he departed the Firm, any open cases involving PG&E went with him. On or about January 29, 2019, PG&E commenced its own bankruptcy case under Chapter 11 of the Code. The Firm has no involvement in the PG&E case and has not filed a claim in the PG&E case;

(b) Brad Krasnoff, one of the partners (through his professional corporation) at the Firm, was interviewed by the U.S. Trustee as a candidate to serve as Chapter 11 trustee in this case;

(c) two attorneys at Danning-Gill (Brad D. Krasnoff and Richard K. Diamond) are members of the panel of trustees for the Central District of California, and the Firm represents them in that capacity in other cases unrelated to the debtor.

1 7. The Professional is not a creditor, an equity security holder or an insider of the  
debtor, except as follows (specify, attaching extra pages as necessary): None

2 8. The Professional is not and was not, within two (2) years before the date of the  
3 filing of the petition herein, a director, officer or employee of the debtor.

4 9. The Professional neither holds nor represents any interest materially adverse to the  
5 interest of the estate or of any class of creditors or equity security holders, by reason of any direct  
or indirect relationship to, connection with, or interest in, the debtor, or for any other reason, except  
as follows (specify, attaching extra pages as necessary): None

6 10. Name, address and telephone number of the person signing this Statement on behalf  
7 of the Professional and the relationship of such person to the Professional (specify):

8 Eric P. Israel, Partner  
Danning, Gill, Israel & Krasnoff, LLP  
9 1901 Avenue of the Stars, Suite 450  
Los Angeles, CA 90067-6006  
10 T: 310-277-0077  
11 F: 310-277-5735

12 11. The Professional is not a relative or employee of the United States Trustee or a  
Bankruptcy Judge, except as follows (specify, attaching extra pages as necessary):

13 None

14 12. Total number of attached pages of supporting documentation: 9

15 13. After conducting or supervising the investigation described in Paragraph 5 above, I  
16 declare under penalty of perjury under the laws of the United States of America, that the foregoing  
17 is true and correct except that I declare that Paragraphs 6 through 11 are stated on information and  
belief.

18 Executed on November 18, 2019, at Los Angeles, California.

19  
20   
21 ERIC P. ISRAEL

**EXHIBIT "1"**



1901 AVENUE OF THE STARS  
SUITE 450  
LOS ANGELES, CALIFORNIA 90067-6006  
(310) 277-0077 – TEL  
(310) 277-5735 – FAX

#### FIRM RESUME

Danning, Gill, Israel & Krasnoff, LLP (the “Firm”) is a California limited liability partnership composed of several professional corporations, located in Los Angeles, California. The Firm has been engaged in the practice of law with an emphasis on debtor-creditor relations, bankruptcy and reorganization matters since 1953. Since 1981, its principal office has been located in Century City and is presently at 1900 Avenue of the Stars, 11<sup>th</sup> Floor, Los Angeles, California.

Within its area of debtor-creditor specialization, the Firm operates in three areas, focusing on (1) creditors’ rights and debtors’ rights, including the representation of lessors, lessees, creditors and creditors’ committees, the prosecution on creditors’ behalf of relief from stay actions, actions to determine non-dischargeability of debts under the Bankruptcy Code, and matters involving executory contracts and leases, out of court workouts, reorganizations and the like, (2) debtors’ estates, including representation of large Chapter 11 debtor estates, and (3) representation of chapter 7 and chapter 11 Trustees, State Court Receivers, assignees for the benefit of creditors and disbursing agents under chapter 11 plans or in out of court workouts. Members of the Firm are qualified to and do serve as State Court appointed Receivers and as chapter 7 and operating chapter 11 Trustees in the United States Bankruptcy Court for the Central District of California and in the Superior Courts of the State of California.

The Firm has represented numerous banks, title insurance companies, and other financial institutions, as well as representing corporations, partnerships, professional corporations, limited liability companies and individuals in workouts, reorganizations, and liquidations of real estate (hotels, apartment buildings, office buildings, shopping centers, residential property and undeveloped property), construction, wholesale, retail, food service, and law firms, among others. Among other clients, the Firm has represented the City of Los Angeles, San Diego County Airport Authority, San Francisco Airport Authority, Time-Warner Entertainment Co. LP and its divisions and affiliates, including but not limited to Warner Bros. and Warner Home Video, and Turner Broadcasting System, Inc. and its divisions, affiliates and subsidiaries, in bankruptcy-related matters. It has in the past represented several professional (medical and legal) firms in creditor workouts and reorganizations.



DANNING, GILL, ISRAEL & KRASNOFF, LLP

The Firm has represented many debtors in chapter 11 reorganization, including MMPI and its affiliates; it represented State Street Bank and Trust Company as a member of the Official Committee of Creditors Holding Unsecured Claims in the Orange County Chapter 9 case; and it represented the City of Los Angeles in the Eastern Airlines, Pan American World Airways, Continental Airlines, Trans World Airlines (both cases), America West Airlines and Damson Oil Co. chapter 11 cases, which cases were pending in various bankruptcy courts across the United States, and San Francisco and San Diego airports in various bankruptcy related assignments. The Firm has also represented the Creditors' Committees in the Maxicare, Watts Health and numerous other health care related reorganizations. Attorneys at the firm have served as and represented bankruptcy or reorganization trustee or other fiduciaries in the matters of Oasis Petroleum, Producers Sales Organization and Financial Corporation of America, the parent of American Savings and Loan, Namvar, Medpartners, APX and Empire Land, each multi-million dollar bankruptcy court operations and/or liquidations. In addition, individual attorneys within the Firm have various areas of expertise, including qualification to serve as reorganization and liquidation counsel and administrators in all California bankruptcy, federal, district and state courts and out-of-court workouts; appellate matters; trustees' avoiding powers; and landlord/tenant relations with particular reference to those rights in bankruptcy.

The Firm has an on-going commitment to the advancement of the educational and professional skills of its members and is active in bar organizations involved in the bankruptcy and reorganization field, including the Financial Lawyers Conference, the Insolvency Committee of the Business Law Section of the California State Bar and the Los Angeles Bankruptcy Forum.

Biographical data with respect to each partner, of counsel, associate, staff attorney, fiduciary and paralegal assistant is contained in the following section.



DANNING, GILL, ISRAEL & KRASNOFF, LLP

### ATTORNEY BIOGRAPHIES

1. Partners:

Eric P. Israel, a Professional Corporation. Mr. Israel was admitted to the California bar in 1987. His educational background is as follows: He holds degrees from the University of California at Los Angeles (B.A., 1981) and Southwestern University (J.D., with honors, 1987). Member, Southwestern University Law Review. He is a member of the Financial Lawyers Conference, The California (Board Member), Los Angeles and Orange County Bankruptcy Forums, and the Los Angeles County (Commercial Law and Bankruptcy Section, Bankruptcy Committee), Los Angeles County Bar and American Bar Associations. He has served as an editor of the California Bankruptcy Journal since 1998 and was special issue editor for the Special Trustee Issue (26 Cal. Bankr. J. vol. 26 (2002)); Mr. Israel currently serves as co-managing editor of the California Bankruptcy Journal. He was the Chairman of the Commercial Law and Bankruptcy Section of the L.A. County Bar Association (2014-2015) and Chairman of its Bankruptcy Committee (2013-2015) (formerly its Vice-Chair, Programs Chair and Secretary). He is a certified mediator through the Straus Institute for Dispute Resolution of the Pepperdine University School of Law and has served on the panel of mediators for the Bankruptcy Courts for the Central District of California from the inception of the mediation program in 1995 to the present. He has lectured and written on bankruptcy related matters. He authored the articles "Hints on Making the Most of Your Estate's Assets: Often Overlooked Methods to Maximize Equity", 26 Cal. Bankr. J. 199 (2002) and "Of Racketeers, RICO, the Enterprise-Separateness Issue and Chicken Little: What's Really Falling?" 17 Sw. L. Rev. 565 (1988).

John N. Tedford, IV, a Professional Corporation. Mr. Tedford was admitted to the California Bar in 1999. His educational background is as follows: University of Southern California (B.S., 1996); University of Southern California School of Law (J.D., 1999). Judicial Extern to the Honorable Kathleen P. March, Fall 1998 and Spring, 1999. Relief Law Clerk to the Honorable Alan M. Ahart, Ellen Carroll and Kathleen P. March, 1999-2001. Law Clerk to the Honorable Alan M. Ahart, 2001-2002. He is admitted to practice in the Central District of California. He is a member of the California State Bar Association, Financial Lawyers Conference and the Los Angeles Bankruptcy Forum.

Uzzi O. Raanan, a Professional Corporation. Mr. Raanan was admitted to the California State Bar in 1992 and to the Washington, D. C. Bar in 1995. His educational background is as follows: San Diego State University (B.A., 1988); University of the Pacific, McGeorge School of Law (J.D., 1992). He is admitted to practice in the Central and Eastern Districts of California, and in the Ninth Circuit Court of Appeals. He is Vice-Chair of Marketing & Outreach for the

**DANNING, GILL, ISRAEL & KRASNOFF, LLP**

Business Law Section of the California State Bar, past Co-Chair of the Insolvency Law Committee of the California State Bar, past President of the Beverly Hills Bar Foundation, and a member of the Beverly Hills Bar Association Board of Governors, Financial Lawyers Conference and the Los Angeles Bankruptcy Forum. Mr. Raanan represents creditors and debtors, creditor committees, as well as court-appointed receivers and bankruptcy trustees, with regard to insolvencies, bankruptcy pre-planning and filing, state and federal court litigation, and Commercial Law disputes. He also specializes in handling appeals and a myriad of other issues arising in bankruptcy. Mr. Raanan is fluent in Hebrew.

Brad D. Krasnoff. Mr. Krasnoff was admitted to the California Bar in 1986. His educational background is as follows: University of California at Los Angeles (B.A., 1982, Magna Cum Laude; J.D., 1986, Phi Beta Kappa). Extern, United States Attorney's Office, Civil Division, 1985. He is a member of the California State Bar Association, the Financial Lawyers Conference, the Los Angeles Bankruptcy Forum and the National Association of Bankruptcy Trustees. Since 1997, he has served as a Chapter 7 Panel Trustee appointed by the United States Trustee for the Central District of California. He authored the article "Case Control? Electing a Chapter 7 Trustee: The Trustee's Viewpoint", California Bankruptcy Journal, Vol. 26 (2002) 258.

Zev Shechtman. Mr. Shechtman was admitted to the California Bar in 2009. His educational background is as follows: University of California at Santa Cruz (B.A., 2003); New York University (M.A., 2006); University of Southern California School of Law (J.D., 2009). He is admitted to practice in the United States District Court, Central District of California. He is a member of the California State Bar Association, Beverly Hills Bar Association, Los Angeles Bankruptcy Forum and the Financial Lawyers Conference.

George E. Schulman, a Professional Corporation. Mr. Schulman was admitted to the California Bar in 1975. He was admitted to the New York Bar in 1972. His educational experience is as follows: Queens College (B.A. 1968); New York University School of Law (J.D. 1971). He is a member of the Los Angeles County, Beverly Hills, American and New York Bar Associations, and a member of the State Bar of California. He is First Vice-Chair of the Antitrust and Trade Regulation Section of the Los Angeles County Bar Association. He is admitted to practice in all courts in California and New York, in the United States District Courts for the Central, Northern, Southern and Eastern Districts of California, the United States Court of Appeals for the Second, Ninth and Tenth Circuits, and the United States Supreme Court. He specializes in litigation, with a special emphasis on bankruptcy, insolvency and receivership. He has served as a Federal Court receiver and has been appointed as a Chapter 11 and Chapter 7 trustee by the United States Trustee.

DANNING, GILL, ISRAEL & KRASNOFF, LLP

2. Of Counsel:

Richard K. Diamond, a Professional Corporation. Mr. Diamond was admitted to the California Bar in 1976. His educational background is as follows: University of California, Berkeley (A.B. 1973); University of California, Los Angeles (J.D. 1976); Phi Beta Kappa; Order of the Coif. He is a Fellow of the American College of Bankruptcy. Mr. Diamond is a member of the Business Law Section of the State Bar of California and served as the chair of its Debtor/Creditor Relations and Bankruptcy Committee (1990 and 1991). He is a past President of the Los Angeles Bankruptcy Forum. He serves as a Chapter 7 Panel Trustee appointed by the United States Trustee for the Central District of California. Mr. Diamond has specialized in reorganization and insolvency matters during the entire period of his practice.

3. Associates:

Aaron E. de Leest was admitted to the California Bar in 2001. His educational background is as follows: Biola University (B.A., 1998); Southwestern University School of Law (J.D., 2001). Judicial Extern to The Honorable Barry Russell, 2000. He is admitted to practice in the United States Court of Appeals for the Ninth Circuit, and the United States District Court, Northern and Central Districts of California. He is a member of the California State Bar Association, Los Angeles County Bar Association, Financial Lawyers Conference, Los Angeles Bankruptcy Forum, and the Beverly Hills Bar Association.

Michael G. D'Alba was admitted to the New Jersey State Bar in 2005 and to the California State Bar in 2009. His educational background is as follows: Princeton University (A.B., 1998); Rutgers University School of Law (J.D., 2005). He is admitted to practice in the Central District of California. He is a member of the California State Bar Association, Financial Lawyers Conference and the Los Angeles Bankruptcy Forum.

Sonia Singh was admitted to the California Bar in 2016. Her educational background is as follows: Claremont McKenna College (B.A., 2013); UCLA School of Law (J.D., 2016). Judicial Extern to the Honorable Julia W. Brand, 2015. She is admitted to practice in the United States District Court, Central District of California. She is a member of the California State Bar Association, the Financial Lawyers Conference and the Los Angeles Bankruptcy Forum.

DANNING, GILL, ISRAEL & KRASNOFF, LLP

4. Fiduciary:

David A. Gill, a Professional Corporation. Mr. Gill was admitted to the California Bar in 1962. His educational background is as follows: University of California at Los Angeles (B.A., 1958); Stanford University (J.D., 1961). He is a former member of the Los Angeles County Bar Associations (Chair of the Commercial Law and Bankruptcy Section 1984-85), he is a member of the American Bar Association (Member, Consumer Bankruptcy and Business Bankruptcy Committees, Section of Corporation, Banking and Business Law, 1976-date), the State Bar of California (Member, Committee on Debtor-Creditor Relations and Bankruptcy, 1976-1982) and an associate member of the Society of Professionals in Dispute Resolution. He is a Fellow of the American College of Bankruptcy and was named a "Southern California Super Lawyer" in 2004 and annually thereafter. Mr. Gill has specialized in representation of debtors and creditors in reorganization, and in administration of estates in receiverships and bankruptcies. He represents debtors in reorganizations, workouts and liquidations, and represents creditors and creditors' committees, trustees and receivers. He frequently serves as an operating and liquidating trustee and receiver appointed by the United States District Court, the United States Trustee in the United States Bankruptcy Court and also by the Superior Court of the State of California, and is qualified as a Mediator in the Bankruptcy Court and U.S. District Court for the Central District of California. Mr. Gill is admitted to practice in these courts, various other federal courts, the Court of Appeals for the Ninth Circuit, and the Supreme Court of the United States. He has lectured and written on bankruptcy and receivership related matters. He is the author of "Personal Bankruptcy and Wage Earner Plans" (Calif. C.E.B. 1971) and co-editor of "Basic Bankruptcy", Matthew Bender, 1992.

5. Paralegals/Legal Assistants:

Valerie G. Radocay is a senior bankruptcy and litigation paralegal who received her paralegal certificate from the University of West Los Angeles in 1983. She holds specialized certificates in the litigation and real estate areas.

Aracelli P. Panta is a bankruptcy paralegal who received her Bachelor of Arts degree from the University of California at Los Angeles in 1992 and her paralegal certificate from the University of California at Los Angeles' Extension Program in 1994.

DANNING, GILL, ISRAEL & KRASNOFF, LLP

Danielle Krasnoff joined the firm in 2016 and is a Bankruptcy Trustee Administrator. Ms. Krasnoff has worked as a Trustee Assistant since 2011, in the tax and accounting field for nearly 20 years, as a Human Resources Administrator at a large Century City Law firm for approximately 10 years and as a legal assistant for various attorneys in the insolvency field over the course of her career.

**EXHIBIT “2”**

**DANNING, GILL, ISRAEL & KRASNOFF, LLP**  
**YEAR 2019 SCHEDULE OF**  
**RATES FOR PROFESSIONALS**

<u>INITIALS</u>	<u>ATTORNEY NAME</u>	<u>HOURLY RATE</u>
RKD	Richard K. Diamond	695.00
EPI	Eric P. Israel	670.00
JNT	John N. Tedford, IV	625.00
UOR	Uzzi O. Raanan	625.00
BDK	Brad D. Krasnoff	670.00
ZS	Zev Shechtman	495.00
GES	George E. Schulman	650.00
AED	Aaron E. de Leest	565.00
MGD	Michael G. D'Alba	510.00
SS	Sonia Singh	350.00

**PARALEGALS/LEGAL ASSISTANTS/LAW CLERKS**

VGR	Valerie G. Radocay (Senior Paralegal)	250.00
DTK	Danielle Krasnoff	210.00
SP	Aracelli Panta	210.00



**EXHIBIT “3”**

**2019 RATES FOR REIMBURSEMENT OF EXPENSES**

Reprographic Expense (Photocopy, Scan, Print).....\$ .20 per page  
Facsimile - Incoming .....\$ .20 per page  
Facsimile - Outgoing.....\$1.00 per page  
Mileage .....IRS Rate for Business Use (currently 0.58 per mile)  
Telephone.....Actual Cost  
Postage .....Actual Cost  
Messengers.....Actual Cost  
Overnight Mail.....Actual Cost  
On-line Computer Research.....Actual Cost  
Filing Fees.....Actual Cost  
Deposition or Witness Fees .....Actual Cost  
Parking .....Actual Cost

## PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is 1901 Avenue of the Stars, Suite 450, Los Angeles, CA 90067-6006.

A true and correct copy of the foregoing document entitled (*specify*): CHAPTER 11 TRUSTEE'S NOTICE OF APPLICATION AND APPLICATION TO EMPLOY DANNING, GILL, ISRAEL & KRASNOFF, LLP AS GENERAL BANKRUPTCY COUNSEL will be served or was served (a) on the judge in chambers in the form and manner required by LBR 5005-2(d); and (b) in the manner stated below:

**1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF):** Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On November 14, 2019, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

☒ Service information continued on attached page.

**2. SERVED BY UNITED STATES MAIL:** On November 14, 2019, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

Debtor  
HVI Cat Canyon, Inc.  
630 Fifth Avenue  
Suite 2410  
New York, NY 10111

☐ Service information continued on attached page.

**3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL** (state method for each person or entity served): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on November 14, 2019, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

Served by Personal Delivery to be delivered by November 14, 2019  
The Honorable Martin R. Bash  
U.S. Bankruptcy Court  
21041 Burbank Boulevard, Bin on 1<sup>st</sup> Floor outside entry to Intake Section  
Woodland Hills, CA 91367

☐ Service information continued on attached page.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

November 14, 2019  
Date

Vivian Servin  
Printed Name

Signature

**ADDITIONAL SERVICE INFORMATION** (if needed):

**1. SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING ("NEF")**

- William C Beall will@beallandburkhardt.com, carissa@beallandburkhardt.com
- Alicia Clough aclough@loeb.com, mnielson@loeb.com, ladocket@loeb.com
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- **Emily Young** pacerteam@gardencitygroup.com, rjacobs@ecf.epiqsystems.com;ECFInbox@epiqsystems.com

**2. SERVED BY UNITED STATES MAIL:**

**20 LARGEST CREDITORS**

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105 E. Anapamu St., Suite 109  
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Attn: Michael Kemey  
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Ref: 030057 Nassau Assoc-Saba  
New York, NY 10041

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CONSTR. I  
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Oxnard, CA 93030

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Pauma Valley, CA 92061

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Houston, TX 77002

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Suite 4400  
Los Angeles, CA 90071

Victory Oil  
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San Pedro, CA 90731

California Department of Conservation  
801 K Street  
Sacramento, CA 95814

Diane T. Walker  
748 Oceanville Road  
Stonington, ME 04681-9714

Stoner Family Trust  
James G. Sanford Trustee  
100 West Liberty Street, Suite 900  
Reno, NV 89501

Charles C. Albright Trustee  
729 West 16th Street #B8  
Costa Mesa, CA 92627

**OFFICIAL COMMITTEE OF UNSECURED CREDITORS**

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2990 Lichen Place  
Templeton, CA 93465

Escolle Tenants in Common  
215 N. Lincoln Street  
Santa Maria, CA 93458  
Attn: Vincent T. Martinez

Pacific Petroleum California, Inc.  
POB 2646  
Santa Maria, CA 93457

**REQUESTS FOR SPECIAL NOTICE**

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Philip W. Ganong  
Ganong Law  
930 Trustun Avenue, Suite 102  
Bakersfield, CA 93301

Attorneys for Eller Family Trust  
Cummins & White, LLP  
Attn: Fred M. Whitaker, P.C.  
Ashley Bolduc  
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Newport Beach, CA 92660

William Winfield  
Nelson Comis Kettle & Kinney LLP  
300 e. Esplanade Drive, Suite 1170  
Oxnard, CA 93036